

1 ADRIAN J. SAWYER (203712)
2 sawyer@kerrwagstaffe.com
3 **KERR & WAGSTAFFE LLP**
4 101 Mission Street, 18th Floor
5 San Francisco, CA 94105-1727
6 Telephone: (415) 371-8500
7 Fax: (415) 371-0500

5 Attorneys for Non-Parties
6 SANDSTONE GROUP, LLC,
7 TYTO LIDAR, LLC, and
8 OGNEN STOJANOVSKI

8
9
10
11
12 **UNITED STATES DISTRICT COURT**
13
14 **NORTHERN DISTRICT OF CALIFORNIA**
15
16 **SAN FRANCISCO DIVISION**

12 WAYMO LLC
13 Plaintiff,
14 v.
15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING LLC
17 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF ADRIAN J. SAWYER
IN SUPPORT OF DEFENDANTS UBER
TECHNOLOGIES, INC.'S AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL EXHIBITS TO AND
PORTIONS OF MOTION TO EXCLUDE
ONE OF THREE OPINIONS
PROFFERED BY WAYMO EXPERT JIM
TIMMINS (DKT. 1611)**

22
23
24
25
26
27
28

1 I, Adrian J. Sawyer, hereby declare as follows:

2 1. I am an attorney licensed to practice before all courts of the State of California. I
 3 am a partner in the law firm of Kerr & Wagstaffe LLP, attorneys for non-parties Sandstone
 4 Group, LLC, Tyto LiDAR, LLC, and Ognen Stojanovski. I have personal knowledge of the
 5 matters stated herein and if called upon would testify competently thereto.

6 2. I make this declaration in support of Defendants Uber Technologies, Inc.'s and
 7 Ottomotto LLC's Administrative Motion to File Under Seal Exhibits to and Portions of Motion
 8 to Exclude One of Three Opinions Proffered by Waymo Expert Jim Timmins (Dkt. 1611). I
 9 have reviewed the Administrative Motion to File Under Seal (the "Administrative Motion"),
 10 together with Defendants' Motion to Exclude One of Three Opinions Proffered by Waymo
 11 Expert Jim Timmins ("Motion to Exclude") (Dkt. 1611-4), and those exhibits to Defendants'
 12 Motion to Exclude sought to be filed under seal.

13 3. Tyto LiDAR and Sandstone Group are non-parties and are existing limited
 14 liability companies. Mr. Stojanovski is likewise a non-party. All of the information designated
 15 by Tyto LiDAR, Sandstone Group, or Mr. Stojanovski and included in the Response was
 16 designated confidential. None of the information was designated highly confidential/AEO by
 17 Tyto LiDAR, Sandstone Group, or Mr. Stojanovski.

18 4. Portions of Exhibit 1 to the Motion to Exclude contain confidential information
 19 regarding the ownership and structure of non-party Sandstone Group, financing of Sandstone
 20 Group, the ownership of Tyto LiDAR, and the financing of Tyto LiDAR. These portions are:
 21 section II, paragraph 21, subdivision (c); section II, paragraph 22, subdivision (c); and the
 22 entirety of section VII. Because Sandstone Group and Tyto LiDAR are non-parties and existing
 23 private companies, they request that their confidentiality interests in this ownership and
 24 financing information be respected in this proceeding.

25 5. The yellow highlighted portions of the Motion to Exclude discuss the above-
 26 referenced portions of Exhibit 1. Accordingly, the yellow highlighted portions of the Motion to
 27 Exclude also contain confidential information regarding the ownership and structure of non-party
 28 Sandstone Group, financing of Sandstone Group, the ownership of Tyto LiDAR, and the

1 financing of Tyto LiDAR. Because Sandstone Group and Tyto LiDAR are non-parties and
2 existing private companies, they request that their confidentiality interests in this ownership and
3 financing information be respected in this proceeding.

4 6. Defendants' request to seal is narrowly tailored to those exhibits to Defendants'
5 Response that merit sealing.

6
7 I declare under penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct. Executed this 20th day of September, 2017 at San Francisco,
9 California.

10

11

/s/ Adrian J. Sawyer

12 ADRIAN J. SAWYER

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28